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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
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12 DAVID HALTERMAN,

13 Plaintiff,

14 v.

15 EMC CORPORATION,

16 Defendant.
17

Case No.: C 04-2660 JW (PVT)

**ORDER RE STIPULATED REQUEST
TO FILE UNDER SEAL EXCERPTS
OF DEFENDANT'S MOTION TO
COMPEL**

18 On June 21, 2005, the parties filed a Stipulation and [Proposed] Order to File Under Seal
19 Excerpts of Defendant's Motion to Compel an Independent Medical Examination and Further
20 Deposition of Plaintiff Pursuant to Civ. L.R. 7-11, 7-12, & 79-5.¹ Based on said stipulation, the
21 documents sought to be filed under seal, and the file herein,

22 IT IS HEREBY ORDERED that the request to file under seal is GRANTED as to the
23 portions of Defendant's motion that disclose private medical information about Plaintiff, and
24 DENIED as to the portions of Defendant's motion that disclose only non-private information
25 regarding Plaintiff's allegations of depression and emotional distress. The latter information has
26 already been disclosed by the Plaintiff in his publicly-filed complaint herein. While the complaint
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28 ¹ The holding of this court is limited to the facts and the particular circumstances
underlying the present motion.

1 does not detail all of the specifics of Plaintiff's alleged emotional distress, those specifics are not
 2 inherently more private or sensitive than Plaintiff's public allegations that he was under a doctor's
 3 care for depression and taking medication (First Amended Complaint, 12:2-3), that he has suffered
 4 severe emotional distress (First Amended Complaint, 20:10-11), and that he has and continues to
 5 suffer severe embarrassment, humiliation and mental anguish (First Amended Complaint, 24:9-10).

6 IT IS FURTHER ORDERED that the clerk of the court shall file under seal the unredacted
 7 originals of 1) Defendant EMC Corporation's Notice of Motion and Motion, and Memorandum of
 8 Points and Authorities, in Support of Motion to Compel ("Defendant's Motion to Compel"); 2) the
 9 Declaration of Michael Weil in Support of Defendant's Motion to Compel ("Weil Declaration"); and
 10 3) the Declaration of John A. Zeitz, M.D. in Support of Defendant EMC Corporations's Motion to
 11 Compel Mental Examination and Answers to Deposition Questions ("Zeitz Declaration").

12 IT IS FURTHER ORDERED that, no later than July 1, 2005, Defendant shall electronically
 13 file corrected redacted² versions of the aforementioned documents with only the following portions
 14 redacted:

- 15 1) From Defendant's Motion to Compel: 3:22-24; 11:14-27; 12:10; 12:15; 17:8-
 16 9; and 19:7.
- 17 2) From the Weil Declaration: Ex. B, pp. 10, 11, 12, 13, 14, 195, 196, 307, 309,
 18 and 311; Ex. C, pg. 3, ¶ 2; Ex. H, pg. 1, ¶ 3 through pg. 2, ¶ 3; Ex J, in whole;
 19 and Ex. K, in whole.
- 20 3) From the Zeitz Declaration: 2:24-25 (in ¶ 5); and 5:19-20 (in ¶ 14).

21 Dated: 6/28/05

22 /s/ Patricia V. Trumbull
 23 PATRICIA V. TRUMBULL
 24 United States Magistrate Judge

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 28 ² Both the caption page of a redacted document, and the docket entry for the redacted
 document, should indicate that the document is redacted.